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**EXHIBIT A**

Attorneys for Defendant  
**MARK PLOYHAR**

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	NO: CR-11-00509 DLJ
	)	
Plaintiff,	)	STIPULATION AND (c)
	)	ORDER FOR MOVING MARCH
vs.	)	29, 2012 STATUS HEARING,
	)	EXCLUDING TIME FOR MARCH
MARK PLOYHAR,	)	29, 2012, THROUGH APRIL 19, 2012
	)	
Defendant.	)	
_____	)	

Defendant, Mark Ployhar, through counsel Richard P. Pointer and the United States through Grant Fondo hereby stipulate to the continuance of the status hearing from March 29, 2012, to April 19, 2012, at 9:00 a.m.

It is agreed between the parties that the following reasons exist for this stipulation:

(1) Defense counsel is in trial in People vs. Michael Hostia, case number: C1108757. Also, defense counsel has a hearing in Palo Alto that requires his appearance

(2) United States Attorney, Grant Fondo, has no objection to having the status conference continued.

1 The government and defense stipulate that the factors stated above provide a basis for an  
2 exclusion of time pursuant to the Speedy Trial Act (18 U.S.C. Section 3161 (h)(7)(B)(iv) in that the  
3 ends of justice outweigh the public interest in an earlier trial date.

4 Respectfully submitted,

5 Dated: March 26, 2012

6 /s/ Richard P. Pointer  
Richard P. Pointer  
Attorney for Mark Ployhar

7  
8 Dated: March 26, 2012

9 /s/ Grant Fondo  
Grant Fondo  
Assistant United States Attorney

10  
11 **ORDER OF COURT**  
12

13 Based upon the stipulation of the parties, and for good cause shown, the Court reschedules  
14 the parties' March 29, 2012, status hearing to April 19, 2012 at 9:00 a.m.

15 THE COURT FURTHER ORDERS time be excluded under the Speedy Trial Act from  
16 March 29, 2012 to April 19, 2012. The court finds, based on the aforementioned reasons, that the  
17 ends of justice is served by granting the requested continuance outweigh the best interest of the  
18 public and the defendant in a speedy trial. The failure to grant the requested continuance would deny  
19 defense counsel reasonable time necessary for effective preparation, taking into account the exercise  
20 of due diligence, and would result in a miscarriage of justice. The Court therefore concludes that  
21 this exclusion of time should be made under 18 U.S.C. section 3161(h)(7)(A) and (B)(iv).

22 SO ORDERED.

23 Dated: March 26, 2012

